G. R. S. IX-5]

Previous references.

1890-91
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LR)

File No. 64

Serial Nos. 1—

Later references.

(83)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for December 1894

SUBJECT.

Rules for the grant of lands at the grass rate of 4 annas per acre.

Committed

W D 88—GPB—50,000—24-7-16

Indexed

accordingly request that you will submit your final recommendations in the matter. Your opinion is also requested (1) as to the desirability of fixing any minimum area for which such title-deeds should be granted; (2) as to the form of title-deed which should be granted to Planters who have accepted the 30 years' settlement; and (3) as to whether it would not be sufficient to issue the ordinary Receipt Form No. 4 to such as hold estates, on 30 years' settlement, of say less than 20 acres. At the last Representative Assembly a very general desire was expressed for a regular title-deed to every holder on 30 years' settlement. The Dewan believes that such a title-deed will afford great facility for commercial transactions in respect of the larger estates, and there is no objection to granting a title-deed embodying the terms of the Survey settlement as set forth in the Survey guarantee and subsequent orders of Government.

IV. From the Deputy Commissioner, Kadur District, to the Secretary to the Dewan of Mysore, No. A 5, dated 15th February 1884.

With reference to your letter No. 5745—266, dated 7th February 1884, I have the honor to forward, as required, a copy of the form of title-deed handed over to me by the Dewan at Koppa for record.

Copies of this title-deed have been also officially sent to the Planters' Association, but no further representations from the Association on the subject have as yet been received by me, although I understand that on the 7th instant a meeting of the council of the Association was held to consider the matter. I have no alterations to suggest to the title-deed except that perhaps it might be advisable to add that the planters are not entitled to sell or give away the produce of the toddy trees in their estates to other than the Government contractor, although there is no objection to their taking what toddy they may require for domestic purposes (*i. e.* for the making of bread, &c.)

My opinion is also asked—

(1.) As to the fixing of any minimum area for which such title-deeds should be granted; I am of opinion that for all lands taken on permanent tenure a title-deed should be granted, as many individuals took their houses and the "hittalus" round them on the permanent tenure for the sole reason that they understood they would be given a title-deed for them.

(2.) As to the form of title-deed which should be granted to planters who have accepted the 30 years' settlement; I am of opinion that a lease on similar conditions to those granted to the planters who take their land on the permanent tenure, may be granted to the planters who have taken their lands on the temporary tenure. Only in this case I should add a proviso that the toddy trees in them are not to be cut down any more than sandal, and that the Government contractor is to have the sole right to the toddy on their estates and also the right of cutting them to extract the toddy.

Till the Survey assessment was introduced on all small estates, the contractors used to enter and take the toddy; this will therefore be no hardship, while it will bring up the toddy revenue of the Manjarabad and Mudgere Taluks, which, chiefly owing to this settlement, has fallen, Rs. 6,000 in the former and Rs. 2,234—8—3 in the latter, to something like its former value.

(3.) As regards to whether it would not be sufficient to issue the ordinary Receipt Form No. 4 to such as hold estates of, say, less than 20 acres, I am of opinion the limit of 20 acres is a very fair one. The title-deed is only required by those who borrow on the security of their lands from merchants in Madras and elsewhere, and these are all holders of estates over the 20 acre limit.

ENCLOSURE.

No. *Copy of Form of Title-Deed.*

Whereas *A. B.*, holder of the land specified in the schedule hereunder written, has made application that his tenure of the said land may be changed into a permanent holding and has paid the actual cost of the durable demarcation of the land and has agreed to pay on account of the said land a permanent land revenue assessment at the rate of a rupee and a half per acre per year, I. *C. D.* Superintendent of the Revenue Survey and Settlement in Mysore, acting under the authority of the Government of His Highness the Maharaja of Mysore, do hereby confirm the said land to the said *A. B.* and his heirs, personal representatives and assigns in permanent property (with the exceptions hereinafter mentioned) and subject to the regular yearly payment of the sum of Rs. as the permanent land revenue assessment of the said land.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 24th March 1885.

Provided that the said *A. B.* or other lawful owner of the land shall, at all imes hereafter, at his own expense repair and maintain in good order the boundary marks rected round and in the said land.

Provided also that this title-deed in no way affects the liability of the above said land t payments for general, municipal or other local purposes, nor does it affect any rights or interest which other parties may have in the said land.

Provided also that nothing in this title-deed contained shall affect the existing or customary rights of Government or of proprietors of lands adjoining or lying near the said land in all existing roads and paths and in streams of water running through or bounding the said land.

Provided also that this title-deed shall not be considered in any way to grant to or vest n the said *A. B.* his heirs, personal representatives or assigns the right to trees of the nine descriptions of timber specified below, which are hereby reserved to the Government of His Highness the Maharaja of Mysore, subject however to the condition that the said *A. B.* his heirs, personal representatives or assigns shall be allowed to use within the above said land ree of charge for their own *bonâ fide* building purposes any reserved tree other than sandal growing on the abovesaid land :—

1. Honne.	4. Wild jack.	7. Teak.
2. Lac tree.	5. Poon.	8. Blackwood.
3. Nandi.	6. Karachi.	9. Sandalwood.

And provided further that this title-deed shall not be considered in any way to grant o or to vest in the said *A. B.* his heirs, personal representatives or assigns any right, title r interest in or to precious stones, gold and other minerals or coal or stone or rock containing or upposed to contain precious stones, gold or other minerals or coal known to exist, or which may t any time hereafter be discovered on or under the said land or any part thereof, all of which re hereby respectively reserved to the Government of His Highness the Maharaja of Mysore, ubject to the condition that the said Government shall always upon application concede to the aid *A. B.* his heirs, personal representatives or assigns, in preference to all ther applicants, the right to work for and obtain the gold and other minerals or coal or precious tones on or under the said land subject to the payment to the said Government of a royalty of 5 er cent on the gross proceeds of such gold and other minerals, or coal, and of 10 per cent of the aleable value of such precious stones as may be obtained from the said land.

Specification of the Land.

District.	Taluk.	Village.	Name, if any.	Boundaries.	Survey No.	Extent.

By Order of the Government of His Highness the Maharaja of Mysore.
Dated this day of 188 .

Supt. of Rev. Survey and Settlement.

V. From the Joint Honorary Secretaries to the North and South Mysore Planters' Associations, to the Secretary to the Dewan of Mysore, dated 18th May 1884.

In obedience to the request of the Committees of the North and South Mysore Planters' Associations, I have the honor to request that you will do me the favor of conveying to the Dewan of

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 24th March 1885.

I accordingly request that you will submit your final recommendations in the matter. Your opinion is also requested (1) as to the desirability of fixing any minimum area for which such title-deeds should be granted; (2) as to the form of title-deed which should be granted to Planters who have accepted the 30 years' settlement; and (3) as to whether it would not be sufficient to issue the ordinary Receipt Form No. 4 to such as hold estates, on 30 years' settlement, of say less than 20 acres. At the last Representative Assembly a very general desire was expressed for a regular title-deed to every holder on 30 years' settlement. The Dewan believes that such a title-deed will afford great facility for commercial transactions in respect of the larger estates, and there is no objection to granting a title-deed embodying the terms of the Survey settlement as set forth in the Survey guarantee and subsequent orders of Government.

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Copies of this title-deed have been also officially sent to the Planters' Association, but no further representations from the Association on the subject have as yet been received by me, although I understand that on the 7th instant a meeting of the council of the Association was held to consider the matter. I have no alterations to suggest to the title-deed except that perhaps it might be advisable to add that the planters are not entitled to sell or give away the produce of the toddy trees in their estates to other than the Government contractor, although there is no objection to their taking what toddy they may require for domestic purposes (*i. e.* for the making of bread, &c.)

My opinion is also asked—

(1.) As to the fixing of any minimum area for which such title-deeds should be granted; I am of opinion that for all lands taken on permanent tenure a title-deed should be granted, as many individuals took their houses and the "hittalus" round them on the permanent tenure for the sole reason that they understood they would be given a title-deed for them.

(2.) As to the form of title-deed which should be granted to planters who have accepted the 30 years' settlement; I am of opinion that a lease on similar conditions to those granted to the planters who take their land on the permanent tenure, may be granted to the planters who have taken their lands on the temporary tenure. Only in this case I should add a proviso that the toddy trees in them are not to be cut down any more than sandal, and that the Government contractor is to have the sole right to the toddy on their estates and also the right of cutting them to extract the toddy.

Till the Survey assessment was introduced on all small estates, the contractors used to enter and take the toddy; this will therefore be no hardship, while it will bring up the toddy revenue of the Manjarabad and Mudgere Taluks, which, chiefly owing to this settlement, has fallen, Rs. 6,000 in the former and Rs. 2,234—8—3 in the latter, to something like its former value.

(3.) As regards to whether it would not be sufficient to issue the ordinary Receipt Form No. 4 to such as hold estates of, say, less than 20 acres, I am of opinion the limit of 20 acres is a very fair one. The title-deed is only required by those who borrow on the security of their lands from merchants in Madras and elsewhere, and these are all holders of estates over the 20 acre limit.

ENCLOSURE.

No. *Copy of Form of Title-Deed.*

Whereas *A. B.*, holder of the land specified in the schedule hereunder written, has made application that his tenure of the said land may be changed into a permanent holding and has paid the actual cost of the durable demarcation of the land and has agreed to pay on account of the said land a permanent land revenue assessment at the rate of a rupee and a half per acre per year, I. *C. D.* Superintendent of the Revenue Survey and Settlement in Mysore, acting under the authority of the Government of His Highness the Maharaja of Mysore, do hereby confirm the said land to the said *A. B.* and his heirs, personal representatives and assigns in permanent property (with the exceptions hereinafter mentioned) and subject to the regular yearly payment of the sum of Rs. as the permanent land revenue assessment of the said land.

for their own *bonâ fide* purposes free of charge any reserved tree other than sandal growing on the above said land :—

1. Honne.
2. Lac tree.
3. Nandi
4. Poon.
5. Teak.
6. Blackwood.
7. Sandalwood.

And provided further that all mining operations shall only be undertaken under the authority and control of the Government of Mysore which hereby reserves a royalty of 5 per cent on the net sale proceeds of all gold, silver and other metals and coal rendered merchantable and of 10 per cent on the saleable value of all precious stones.

No royalty is reserved in connection with limestone, granite and other ordinary minerals.

No excise or export duty will be charged or imposed on any product hereafter grown on the said land, arecanuts excepted.

All jungle and petty izardars will be prohibited from entering upon the said land.

Specification of the Land.

District.	Taluk.	Village.	Name, if any.	Boundaries.	Survey No.	Extent.

By Order of the Government of His Highness the Maharaja of Mysore.

Dated this the day of 188 .

Supt., Rev. Survey and Settlement.

VI. Colonel Grant's opinion, submitted to the Dewan on the 2nd July 1884, regarding the form of Coffee Title-Deeds adopted at Koppa and on those submitted by the Planters' Associations on the 18th May 1884.

"I have gone carefully over the various drafts of the new coffee title-deed and I consider that the draft (A)* as finally drawn up by you should be adhered to. I would make none of the changes or additions suggested by the planters excepting perhaps as far as striking out wild jack and karachi from the list of reserved trees. The planters' form contains words 'alienated' for instance, and rendering of sentences, which are open to misconstruction. As regards the question raised by the Deputy Commissioner regarding toddy trees in lands taken on temporary tenure, I think it was decided not to make any reservation such as he proposes. Of course the toddy revenue will be affected by not reserving the trees, but the reservation would be much resented. I see that the Deputy Commissioner suggests entering in the title-deed something about who is to enjoy the produce of the toddy trees. This would only be necessary in the event of it not being quite clear that the planter could only draw toddy through the contractor. Title-deeds should be issued in all cases of estates or gardens, however small, taken on permanent tenure.

*NOTE.—This is the form adopted at Koppa.

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the Government of His Highness the Maharaja of Mysore an expression of the grateful acknowledgments of the members of both Associations for his great courtesy in having forwarded for consideration a draft of the proposed new title-deeds. I am directed now to submit for the favorable consideration of Government two drafts embodying the alterations which, after the most careful study of all details, the members of both Associations have unanimously considered it desirable and necessary respectfully to advocate.

The Associations having been favored with a promise from Sir James Gordon, K. C. S. I., that when the new title-deeds were being prepared every consideration would be accorded to such suggestions as the planters of Mysore might make in view to arranging for the better security of their title, and as the Joint Committees of the North and South Mysore Planters' Associations constitute the authorized medium for representing the collective interests of the European planting community, I have the honor to express a confident hope that every indulgence may be accorded to those slight alterations which have been made with a view to prevent misunderstanding in the future and to place a most important industry on a firm and satisfactory basis.

In conclusion, I have the honor to inform you that in making the alterations above referred to in the deed, the Associations have deemed it their duty to submit their views to Government in the simplest language possible, and consequently I am instructed to solicit that after the proposed modifications have been sanctioned or revised by Government, the legal advisers of the Associations may be permitted, while adhering strictly to the terms of the deed, to make such verbal alterations as they may deem necessary for the constitution of a strictly legal document.

ENCLOSURE 1.

Draft of Title-Deed under the system of Permanent Assessment.

Whereas *A. B.* holder of the land specified in the schedule hereunder written, has made application that the said land may be permanently alienated to him in heritable and transferable proprietary right and has paid the actual cost of the durable demarcation of the land and has agreed to pay on account of the said land a permanent land revenue assessment at the rate of a rupee and a half per acre per year within the month of March, I., *C. D.* Superintendent of the Revenue Survey and Settlement in Mysore, acting under the authority of the Government of His Highness the Maharaja of Mysore, hereby grant and confirm the said land to the said *A. B.* his heirs, personal representatives and assigns in permanent property (with the exceptions herein after mentioned) and subject to the regular yearly payment of the sum of Rs. as the permanent land revenue assessment of the said land.

Provided that the said *A. B.* or other lawful owner of the said land shall, at all times hereafter, at his own expense, repair and maintain in good order the boundary marks erected round and in the said land.

Provided also that this title-deed in no way affects the liability of the above said land to payments for municipal and other local purposes, nor does it affect any rights which other parties may have in the said land.

Provided also that nothing in this title-deed contained shall affect the existing or customary rights of Government or of proprietors of lands adjoining or lying near the said land in all existing roads or paths and in streams of water running through or bounding the said land.

Provided also that this title-deed shall not be considered to grant to or vest in the said *A. B.* his heirs, personal representatives or assigns the right to sell trees of the seven descriptions of timber specified below without payment of the prescribed seigniorage; but the said *A. B.* his heirs, personal representatives or assigns shall at all times be allowed to fell, utilize or retain for their own *bonâ fide* purposes free of charge any reserved tree other than sandal growing on the above said land.

1. Honne.
2. Lac tree.
3. Nandi.
4. Poon.
5. Teak.
6. Blackwood.
7. Sandalwood.

And provided further that all mining operations shall only be undertaken under the authority and control of the Government of Mysore which hereby reserves a royalty of 5 per cent on the net sale proceeds of all gold, silver and other metals and coal rendered merchantable and of 10 per cent on the saleable value of all precious stones.

No royalty is reserved in connection with limestone, granite and other ordinary minerals.

No excise or export duty will be charged or imposed on any product hereafter grown on the said land, arecanuts excepted.

All jungle and petty izardars will be prohibited from entering upon the said land.

Specification of the Land.

District.	Taluk.	Village.	Name, if any.	Boundaries.	Survey. No.	Extent.

By Order of the Government of His Highness the Maharaja of Mysore.

Dated this the day of 188 .

Supt., Rev. Survey and Settlement.

ENCLOSURE 2.

Form of title-deed on the terms of the Survey Settlement Guarantee.

Whereas *A. B.* holder of the land specified in the schedule hereunder written has made application that the said land may be permanently alienated to him in heritable and transferable proprietary right and has paid the actual cost of the durable demarcation of the land and has agreed to pay an account of the said land a land revenue assessment at the rate of one rupee per acre per year within the month of March, I., *C. D.* Superintendent of the Revenue Survey and Settlement in Mysore, acting under the authority of the Government of His Highness the Maharaja of Mysore, hereby grant and confirm the said land to the said *A. B.* his heirs, personal representatives and assigns in permanent property on the terms of the Survey Settlement Guarantee (with the exceptions hereinafter mentioned) and subject to the regular yearly payment of the sum of Rs. as the land revenue assessment of the said land.

Provided that the said revenue assessment shall be open to equitable revision after 30 years from this date on recognized principles.

Provided that the said *A. B.* or other lawful owner of the said land shall, at all times hereafter, at his own expense, repair and maintain in good order the boundary marks erected round and in the said land,

Provided also that this title-deed in no way affects the liability of the above said land to payments for municipal and other local purposes, nor does it affect any rights which other parties may have in the said land.

Provided also that nothing in this title-deed contained shall affect the existing or customary rights of Government or of proprietors of lands adjoining or lying near the said land in all existing roads or paths and in streams of water running through or bounding the said land.

Provided also that this title-deed shall not be considered to grant to or vest in the said *A. B.* his heirs, personal representatives or assigns the right to sell trees of the seven descriptions of timber specified below without payment of the prescribed seigniorage; but the said *A. B.* his heirs, personal representatives or assigns shall at all times be allowed to fell, utilize or retain

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" As regards lands guaranteed for only 30 years, I confess that I cannot see what claim the holders have to anything more than the usual receipt form and a general notification to be added to, or published with, the Survey guarantee. The planters who would object to this are those who hold extensive tracts of cardamom cultivation at the one rupee rate. If you consider it necessary to issue a title-deed for temporarily assessed lands, I would alter the title-deed for permanently assessed lands very slightly indeed and would limit the issue of title-deeds to holders of more than 50 acres in one village. I much prefer the notification however, but I suppose there would be a considerable outcry if title-deeds for big estates such as the cardamom estates were not issued. There are very few coffee estates held by Europeans which have not elected for the Rs. 1—8—0 rate."

Read also petitions from Mr. Ganesh Rao and others of Chikmagalur, dated 28th July 1884, from Mr. Coelho of Mangalore, dated 9th August 1884, from Mr. Brito and others, registered No. 1477 without date, from a Native Planter of Mangalore dated 9th August 1884, and from Appas of Mangalore dated August 1884.

ORDER THEREON.—No. 7004—153 DATED MYSORE, 24TH MARCH 1885.

So far back as April 1882, the delegates appointed by the Mysore Planters' Associations and the officers appointed by the Mysore Government submitted to the late Dewan forms of title-deeds to be issued upon the settlement of coffee lands on an acreage settlement in accordance with the orders of the Mysore Government, No. 3662-70—98, dated 2nd August 1881. Mr. Rangacharlu thereupon drew up a revised form, which, among other alterations, provided for the reservation of mining rights to Government. On the subject of these rights he recorded on 5th August 1882 the following remarks:—

> " A mere royalty claim will be useless, objectionable and contrary to the wishes " and orders of the Government of India who have in Mysore directed, and " in their own territories provided for, the reservation of the mines. We " here however additionally give the land-holders the preferential right to " work on a royalty instead of absolutely taking away the mines from " them."

2. The Planters' Associations were thereupon consulted on the question of mining rights and also on that of the right to reserved trees about which also there was a difference of opinion, but nothing definite was settled. In November 1883 when Mr. Sheshadri Iyer visited Koppa, he received a deputation of planters at Koppa, and after full discussion with them of every detail connected with the title-deed, drew up a revised form to which all then present unanimously agreed, as making due provision for all their rights. The form then adopted was however sent to the Planters' Associations for their opinion, and their opinion with revised forms of the title-deed proposed by them was received with Messrs. Maynard and Buchanan's letter dated 18th May 1884.

3. His Highness the Maharaja's Government have given their most attentive consideration to the various alterations proposed by the Planters' Associations in the letter last quoted. The first alteration proposed is in the first para of the form and to the effect that the application from the planter is that the land " may be permanent- " ly alienated to him in heritable and transferable property." It is not possible to adopt this wording as " alienation " has a special technical meaning and signifies a surrender of the Government land revenue. The Government therefore consider that it will be sufficient to insert merely that the application is for the tenure " to be declared to be permanent." The wording of the application is however a matter of no importance, for the real terms of the deed have to be gathered from the words used in expressing the contract on the part of the Government. With reference to the words of this contract the Government decide to adopt the recommendation of the Associations and to insert the words " grant and confirm."

4. The Associations also propose that in the first para of the form the deed should declare that the assessment should be payable in March every year. This provision had been omitted in the previous draft, because the time and rules for the recovery of the coffee assessment would be governed by the general laws and rules regulating the recovery of land revenue; but as the Associations probably attach some value to an express provision on this subject, a proviso in the terms of the Madras form is added immediately after the first para. (*Vide* Proviso No. 1 in Form A appended to the accompanying Notification).

5. As regards the saving of liability for payments other than those of land revenue, the Associations desire to substitute "payments for Municipal and other local purposes" for "payments for General, Municipal or other local purposes." The latter expresses more correctly than the former, the existing law on the subject both in Mysore and in British India, and it is identical with the language of the Madras form. Its exact meaning is well known, and the Mysore Government will always be bound to interpret it in the same way that the British Government interprets similar words used in similar title-deeds, and therefore there can arise no doubts or differences of opinion. The Government therefore prefer to retain the words "for General, Municipal or other local purposes" as in the draft accepted in November 1883, with an addition intended to show that the reference is to such "rates or taxes other than land revenue as are or as may be imposed by law," (*Vide* Proviso 3, Form A).

6. As regards the right of Government to reserved trees, the draft accepted in November 1883 contained all that was considered necessary in a title-deed. The planters who met the Dewan at Koppa fully accepted the justice of the proviso in question, and merely asked for an exemption as regards wild jack and karachi which they desired to grow or preserve for shade. Such exemption may unobjectionably be conceded. In other respects, the proviso in question does not really require alteration. The right of the Government to reserved trees on lands held under the old coffee patta has always been recognized. (*Vide* Chief Commissioner's Order dated 6th April 1871). This right has not been conceded to the planters at the settlement recently introduced. It was distinctly understood at that settlement that the disposal of this right should vest in the Government. There is nothing in the correspondence to show that any promise was made of a concession of this right as a condition of the settlement. The procedure adopted as regards coffee lands has not been different from that followed in the settlement of other lands.

7. The ordinary Survey guarantee applicable to all lands, as formerly in force provided for the Government removing and selling reserved trees standing on occupied lands within a specified time, and for all reserved trees, excepting sandal, becoming the property of the occupant if Government failed so to remove them. This rule was cancelled by the late Chief Commissioner in August 1879 and January 1880, and in accordance with the orders then issued, the Settlement officer, at the time of the settlement, either reserves the Government right to the trees once for all and for ever, or sells such right to the occupant for such sum as he considers fair and reasonable. In the recent settlement of coffee lands (whether assessed in perpetuity or for 30 years) the Settling officers have reserved the Government right to the trees in accordance with the above rule. (*Vide* para 13 of the Kadur Deputy Commissioner's report No. 35, dated 13th April 1882). It is without advertence to this fact that some Native planters of Mangalore now contend in the petitions above read that the Government right to all trees except sandal has lapsed to them by reason of the Government not having removed them within the prescribed time, in accordance with the terms of an obsolete rule.

8. Under such circumstances, His Highness' Government are of opinion that the right to reserved trees on coffee estates vests at present in the Government and will continue to do so till some definite settlement is made by the Government with the planters concerned.

9. In Proceedings of the 3rd March 1882, the late Dewan laid down,-1stly, that where the trees were few and of little value, the Government right to them might be foregone; 2ndly, that where they were numerous and of the more valuable

kind, some arrangement would be necessary to secure the Government right in them 3rdly, that if the holders desired to purchase the trees, they would be allowed to do so on a moderate valuation ; and 4thly, that where they did not so desire to purchase the trees, or where there were heavy forests held on grass assessment, it was necessary to continue the existing prohibitions against the cutting of the trees.

10. A settlement as regards trees in accordance with these views has not yet been made. Such a settlement has first to be made before its terms can be embodied in the title-deed. The insertion in the title-deed of a declaration to the effect that the right to reserved trees vests in Government will be sufficient for all practical purposes, and will be in accordance with the form in force in Coorg which declares the right to the trees to vest in Government and leaves details as regards its disposal to the Government Forest Department.

11. The Dewan however has always been of the opinion that the reasonable expectations of the planters based upon the practice heretofore in force should be fully respected. Sir Richard Meade, on 6th April 1871, directed the adoption of the following practice :—

" The coffee planters will be authorized to use for their own *bonâ fide* purposes " all timber of any and every sort whatsoever (excepting sandal) growing on their " estates, but will not be at liberty to sell such timber without payment of the pre- " scribed seigniorage. Should any planter wish to acquire *full rights of property* in " this respect over the timber on his lands, he can only do so by purchasing the same."

12. When the form accepted in November 1883 was drawn up, it was considered that it would be more convenient that the existing practice should be confirmed by a notification announcing the way in which the Government proposed to exercise its right in the matter, than that it should be embodied in the title-deed, as if it had formed the subject of a specific contract. But after re-consideration and with a view to give the planters an assurance to which they attach some value, the Government have altered the proviso in question so as to specify the existing arrangements. (*Vide* Proviso 6, Form A).

13. As regards the proviso relating to mineral rights, the form adopted in November 1883 gave the planters all that they really cared to have, and the planters who met the Dewan at Koppa expressed themselves fully satisfied with it. The Associations now desire that the Government should reserve to itself merely a control over mining operations and a royalty of 5 per cent on net sale proceeds of metals. The Government, for obvious reasons, would prefer to reserve the right to all minerals and to give to the planter a preferential right to work them on payment of a royalty. If the course suggested by the Associations be adopted, it will be in the power of any planter to prevent any mines being worked at all. It will moreover be readily admitted that the coffee tenure under the old patta, which was virtually that on which other lands or held on kandayam, gave no mineral rights whatever to the planter. The halat duty on the produce which he used to pay was (just in the same way as the money kandayam paid by the ordinary ryot) a commutation of the ancient "váram" or share of produce paid as rent. As regards mineral rights both the ordinary ryot and the coffee planter are therefore in the same position. In making the present settlement, the Government are however anxious to deal liberally with the planters and to give them complete security of title and perfect freedom from all annoyance upon any pretence whatsoever. Because the right to minerals vests in the Government, its officers will not be entitled to work mines upon coffee estates without compensating the planter for any damage thereby caused. This is probably not sufficiently well known, and hence perhaps the objection of the Associations to the proposed proviso. In order to obviate all doubts in the matter the Government resolve to make ample and express provision for compensation in all cases where damage is caused by the exercise by Government of any of the powers reserved to it, and for the settlement of the amount of compensation where necessary in accordance with the procedure laid down in the Land Acquisition Act, 1870.

14. The Government have further decided to make an additional provision conceding to the planters the preferential right to work the mines. This preferential right is no indefinite thing as the Government will be bound to grant it on the terms of the Dewan's Notification dated 26th July 1881. No similar provision for a preferential right to the mines is made in the Madras form. The fact is that, in the

Madras Presidency, as elsewhere in British India, all mineral rights are unconditionally reserved to the Government under the orders of the Secretary of State in paras 5 and 6 of Despatch No. 35, dated 25th March 1880. In Mysore the Government are willing to depart from the practice of British India, as regards planters who have accepted the permanent settlement. Under such circumstances the Government hope that the proviso as finally framed will be considered satisfactory by the planters. (*Vide* Proviso No. 5, Form A.)

15. A royalty of 5 per cent on the gross proceeds of all metals is provided in all mining leases granted by the Mysore Government under the Notification dated 26th July 1881 already referred to. A reduction as regards coffee estates is for that reason undesirable. Moreover the royalty fixed has not yet been found to be excessive in itself. The deed will however provide for a royalty *not exceeding* 5 per cent on gross proceeds, so that it will always be in the discretion of the Government to fix a lower rate of royalty whenever and so long as a reduced rate is likely to be of help in fostering the new industry.

16. The Associations propose an exemption from royalty as regards lime-stone, granite and other ordinary minerals. This exemption is now conceded as regards lime-stone, granite and ordinary minerals other than precious stones, metals or coal, when used for the *bonâ fide* private purposes of the planter and not removed for purposes of sale. (*Vide* Proviso No. 5, Form A.)

17. The Associations also desire an exemption from excise and export duties. Such an exemption is far too general for any Government to grant, and its insertion in the deed will be an uncalled for and undesirable restriction of the undoubted right of every Government to resort to additional taxation by legislation, whenever and so long as the exigencies of the State require such additional taxation. In Mysore such additional taxation cannot be imposed except by formal legislation, which under treaty, would require the previous sanction of His Excellency the Viceroy and Governor General of India. Under such circumstances the appended Notification will be found to contain all such assurances as the Mysore Government are now able to give.

18. The prohibition against the unauthorized entry by jungle and petty *izaris* is also best embodied in this Notification, as the prohibition necessarily results from the existing law and does not form the subject of any special contract with the planters.

19. The other provisions of the title-deed in Form A call for no remarks.

20. The title-deed in Form B contains the terms of the tenure of such coffee planters as have accepted the 30 years' settlement. They will have no preferential right to work the mines.

21. Grass lands are granted, on an assessment of four annas per acre, merely for purposes of pasture and growth of fuel, and they must be held in clearly defined compact separate blocks. (*Vide* para 4 of the Rules of 2nd August 1881). The conditions subject to which such lands are held are those specified in title-deed in Form C, which provides for the reservation to Government in full of all rights to reserved trees and minerals, and for increased assessment when the land is brought under cultivation. This is in accordance with the Dewan's Proceedings No. 7713-21—235, dated 5th January 1882.

22. The accompanying Notification regarding the general rights conceded by the Acreage settlement, together with the Forms A, B and C of title-deeds now finally sanctioned by His Highness the Maharaja's Government, will be published in the Official Gazette.

23. The Superintendent of Revenue Survey and Settlement will be requested to arrange for the immediate issue of title-deeds in the sanctioned forms to all who may apply for them, in accordance with the annexed Notification.

R. VIJAYINDRA RAO,
Secretary.

To—The Superintendent of Revenue Survey and Settlement.
All Deputy Commissioners and Sub-Division Officers.
The Honorary Secretaries, North and South Mysore Planters' Associations, in reply to their letter dated 18th May 1884.
The Compiler, Mysore Gazette, with reference to para 22.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 24th March 1885.

NOTIFICATION.

No. 242 dated 24th March 1885.

Whereas, by order of His Highness the Maharaja's Government No. 3662-70 98, dated Bangalore, the 2nd August 1881, the settlement of coffee lands in Mysore on an acreage assessment, in accordance with the Land Revenue laws in force, was sanctioned, and whereas such settlement has now been nearly completed, His Highness the Maharaja's Government hereby notify for the information of all concerned as follows:—

1*stly.* The halat duty on coffee and cardamom is abolished with effect from the date of the aforesaid settlement.

2*ndly.* In accordance with the laws in force, no additional land revenue is leviable by reason of any produce whatsoever raised upon the lands to which the aforesaid settlement has been extended.

3*rdly.* All jungle and petty izardars, including toddy and other contractors, are hereby prohibited from entering upon the lands to which the aforesaid settlement has been extended, without the consent of the occupants thereof.

4*thly.* Toddy being a Government monopoly, no one except the Government contractor has, under the law in force, authority to draw it, for purposes of sale, from bagani and other trees standing upon lands to which the aforesaid settlement has been extended. The holders of such lands are hereby permitted to draw toddy from bagani or other trees for domestic purposes such as the making of bread, &c.

5*thly* (*a*) The right to the seven descriptions of trees marginally noted, growing or to grow on the lands to which the aforesaid settlement has been extended, and which are charged with the full acreage assessment, whether fixed in perpetuity or for 30 years, shall vest in Government. But the holders of the aforesaid lands will be allowed to use, free of charge, the timber of the aforesaid trees, except sandal, for their own *bonâ fide* purposes.

1. Honne.
2. Lac tree.
3. Nandi.
4. Poon.
5. Teak.
6. Blackwood.
7. Sandalwood.

(*b.*) The holders of such of the aforesaid lands as may pay the full acreage assessment, whether fixed in perpetuity or for 30 years, will however be permitted to purchase the Government right to the aforesaid trees, except sandal, upon a fair and moderate valuation of their present value, (the purchase money being payable in such instalments as may appear to the Government to be reasonable). If the Government right to trees is not purchased by the holder as above provided for, a seigniorage will be levied by Government upon all aforesaid trees, (except sandal) which may be felled otherwise than for the *bonâ fide* private purposes of the holder.

(*c.*) No sandal trees growing or to grow upon the aforesaid lands shall be felled, used or disposed of, except by or under the orders of Government.

6*thly.* The Government right to the nine descriptions of reserved trees specified in the margin, growing or to grow on lands held on *grass* assessment, is reserved to Government, as such tenure conveys a right merely to pasturage and growth of firewood. Such lands generally contain heavy forests. Until the holder of lands held on grass assessment acquires this right by paying the full value of such trees, the existing prohibitions against the felling of reserved trees must continue to apply to such trees growing on such lands.

1. Honne.
2. Lac tree.
3. Nandi.
4. Poon.
5. Teak.
6. Blackwood.
7. Sandalwood.
8. Wild Jack.
9. Karachi.

7*thly.* The right in or to precious stones, gold and other minerals or coal, or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal, known to exist or which may at any time hereafter be discovered on or under any lands to which the aforesaid settlemen

applies is reserved to the Government, subject to the following conditions, namely :—

(*a.*) That if, in exercise of any of the powers reserved to Government, the Government or its officers enter upon any land which is charged with the full acreage assessment and work mines therein, the holder of such land shall be entitled to full compensation for all damage caused by Government or its officers ; and

(*b.*) That the Government shall always concede to the holder of any such land which is charged with the full acreage assessment fixed in perpetuity, upon the terms of the Dewan's Notification dated 26th July 1881, the preferential right to work for and obtain precious stones, gold or other minerals or coal, on or under the aforesaid lands, subject to the payment of a royalty of not more than 5 per cent on the gross proceeds of such gold or other minerals or coal and of not more than 10 per cent on the saleable value of such precious stones as may be obtained or found on or under the said land.

8*thly.* But notwithstanding anything contained in the last preceding clause, no royalty shall be leviable on limestone, granite and ordinary minerals, other than metals or coal or precious stones, which may be found on or under any land, to which the aforesaid settlement applies, when applied to the *bonâ fide* private use of the holder and not removed for purposes of sale.

9*thly.* (*a.*) Government unoccupied lands, which may hereafter be applied for on the terms of the aforesaid settlement, will be granted subject to the following concessions as regards the Government assessment :—

For the first 3 years..... Free.
For the next 2 years..... Half assessment.
From and after the sixth year.... Full assessment.

(*b.*) The grant will ordinarily be made only to the purchaser at a public sale subject to an upset price which shall include survey expenses and the value of the timber of the reserved trees specified in Clauses 5 and 6 above, except sandal. In special cases, however, the sale may be subject to reservation of the Government right to the aforesaid trees, and where such reservation is made by the Government, the rules in the said Clauses 5 and 6 shall apply to the use and disposal of such trees.

10*thly.* For land to which the aforesaid settlement has been extended and for which the Government assessment has been fixed in perpetuity, a title-deed in the appended Form **A** will be granted. For land to which the aforesaid settlement has been extended and for which the Government assessment has been fixed for 30 years, a title-deed in the appended Form **B** will be granted when the holding exceeds 20 acres in extent ; when such holding does not exceed 20 acres in extent, the receipt form prescribed by the Revenue Survey and Settlement Rules will be granted, but the tenure shall be the same as if a title-deed in Form **B** had been granted.

For grass land held in a clearly defined separate block, a title-deed in the appended Form **C** will be granted when the holding exceeds 100 acres in extent ; when such holding does not exceed 100 acres in extent, the receipt form prescribed by the Revenue Survey and Settlement Rules will be granted, but the tenure will be the same as if a title-deed in Form **C** had been granted.

And 11*thly.* All persons entitled to title-deeds under this Notification are hereby required to apply to the Superintendent of Revenue Survey and Settlement in Mysore through the Deputy Commissioner of the District concerned.

By Order,

R. VIJAYINDRA RAO,
Secretary.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 24th March 1885.

FORM A.

COFFEE TITLE-DEED.

Whereas A. B., holder of the land specified in the schedule hereunder written has made application that his tenure of the said land may be declared to be permanent and has paid the actual cost of the durable demarcation of the said land and has agreed to pay on account of the said land a permanent land revenue assessment at the rate of a rupee and a half per acre per year, I, C. D., Superintendent of the Revenue Survey and Settlement in Mysore, acting under the authority of the Government of His Highness the Maharaja of Mysore, do hereby grant and confirm the said land to the said A. B., his heirs, personal representatives and assigns in permanent property subject to the provisos hereinafter mentioned and subject also to the regular yearly payment of the sum of Rs. as the permanent land revenue assessment of the said land.

1. Provided that the said assessment shall be paid for each revenue year to the proper receiving officer on or before the 31st March in that year, failing which it will be recoverable by the ordinary process for recovering arrears of land revenue in Mysore.

2. Provided also that the said A. B. or other lawful owner of the said land shall, at all times hereafter at his own expense, repair and maintain in good order the boundary marks erected round and in the said land, failing which it shall be lawful for His Highness the Maharaja's Government after due notice to cause the repair of the said boundary marks to be carried out and to recover the cost of such repair as a revenue demand from the said A. B. or other lawful owner.

3. Provided also that this title-deed in no way affects the liability of the above said land to such rates or taxes, other than land revenue, as are, or as may be, imposed by law, whether for general, municipal or other local purposes; nor does it in any way affect any rights or interest which other parties may have in the said land.

4. Provided also that nothing in this title-deed contained shall affect the existing or customary rights of Government or of proprietors of lands adjoining or lying near the said land in all existing roads and paths and in streams of water running through or bounding the said land.

5. Provided also that this title-deed shall in no way be considered to grant to or in any way vest in the said A. B., his heirs, personal representatives or assigns any right, title or interest in or to precious stones, gold and other minerals or coal or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal known to exist or which may at any time hereafter be discovered on or under the said land or any part thereof—all of which are hereby respectively reserved to the Government of His Highness the Maharaja of Mysore subject to the following conditions, namely—

(*a.*) That the said Government shall always on application concede to the said A. B., his heirs, personal representatives or assigns, in preference to all other applicants and upon the terms contained in the Rules published with the Notification issued by the Dewan of Mysore under date Bangalore, the 26th of July 1881, the right to work for and obtain precious stones, gold or other minerals or coal on or under the said land subject to the payment to the said Government of such royalty as the said Government may fix, not exceeding five per cent on the gross proceeds of such gold or other minerals or coal, and not exceeding ten per cent on the saleable value of such precious stones as may be obtained or found on or under the said land.

(*b.*) That the said Government shall not, by itself or its servants, agents or persons by it duly authorized, search for or work any mines upon the said land without giving to the said A. B., his heirs, personal representatives or assigns time within which to apply for the preferential right of working above provided, by serving upon them previous notice of not less than 6 months of its intention so to search for or work the said mines.

(*c.*) That if the said A. B., his heirs, personal representatives or assigns do not as above provided apply for the preferential right to search for, or work any mine on the said land, and if the said Government decides to search for or work any mine upon the said land either by itself or its servants, agents or persons by it duly authorized, then the said Government shall have full and free liberty and right of ingress, egress and regress by nearest way at all times for itself and its servants, agents and workmen and for all persons by it duly authorized in and upon the said land and premises aild either with or without horses and other cattle, carts and wagons and other carriages and to erect on the said land and premises and to use any engines or machinery for the purpose of searching for, working, getting and carrying away the said precious stones, gold and other minerals and coal and with full liberty for the said Government to sink, drive, make and use upon the said land, mines, pits, shafts, drifts,

And (*b.*) That the said A. B., his heirs, personal representatives or assigns shall always be allowed to use free of charge any limestone, granite and ordinary minerals other than metals or coal or precious stones, which may be found on or under the said land and which may be applied to the *bonâ fide* private use of the said A. B., his heirs, personal representatives or assigns and not removed for purposes of sale.

(6). And provided also that this title-deed shall not be considered in any way to grant to or vest in the said A. B., his heirs, personal representatives or assigns the right to trees of the seven descriptions of timber specified in the margin which are hereby reserved to the Government of His Highness the Maharaja of Mysore, subject however to the following conditions :—

1. Honne.
2. Lac tree.
3. Nandi.
4. Poon.
5. Teak.
6. Blackwood.
7. Sandalwood.

(*a.*) That the said A. B., his heirs, personal representatives or assigns shall at all times be allowed to use free of charge for their own *bonâ fide* use any reserved tree other than sandal, growing or to grow on the above said land.

(*b.*) That the said A. B., his heirs, personal representatives or assigns shall be permitted at any time to purchase the Government right to the aforesaid reserved trees, except sandal, upon a fair valuation of their value at the time of such purchase.

(*c.*) If the Government right to the aforesaid reserved trees, except sandal, is not purchased by the said A. B., his heirs, personal representatives or assigns as above provided for a seigniorage at such rates as the Government may from time to time fix shall be leviable upon all the aforesaid reserved trees which may be felled otherwise than for the *bonâ fide* private use of the said A. B., his heirs, personal representatives or assigns, the felling and disposal of sandal being always reserved to Government.

Specification of the Land.

District.	Taluk.	Village.	Name, if any.	Boundaries.	Survey No.	Extent.	Assessment.

Dated this the day of 188 . .

By order of the Government of His Highness the Maharaja of Mysore.

Superintendent of the Revenue Survey and Settlement.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 18th March 1885.

adits, air courses and water courses and to use all water which may be lifted or raised from the same, and also to appropriate and use any part of the surface of the said land and premises for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be got from the said mines, and generally to do all other acts and things necessary or proper for working and getting the said precious stones, gold and other minerals and coal and rendering the same merchantable, the said Government paying or rendering compensation to the said A. B., his heirs, personal representatives and assigns for all damage which the said A. B., his heirs, personal representatives or assigns shall sustain by reason of the exercise by the said Government of such right of way as is hereinbefore reserved, or by the erection and use of any such engines, machinery or works as are hereinbefore mentioned, or the exercise of all or any of the rights hereinbefore reserved to the said Government, provided always that nothing hereinbefore contained shall authorize the said Government to sink any mine, pit or shaft or to exercise any of the rights hereinbefore reserved to it upon any part of the said land and premises which shall be occupied by any messuage or dwelling house or its curtilage or by any enclosed garden or orchard, and provided further that if the said Government and the said A. B., his heirs, personal representatives or assigns do not agree as to the amount of compensation to be paid to the said A. B., his heirs, personal representatives or assigns, the amount of such compensation shall be settled in accordance with the procedure, prescribed by the Land Acquisition Act, 1870, for determining the amount of compensation.

And (*d*) That no royalty shall be leviable on lime-stone, granite and ordinary minerals other than metals or coal or precious stones, which may be found on or under the said land and which may be applied to the *bonâ fide* private use of the said A. B., his heirs, personal representatives or assigns, and not removed for purposes of sale.

6. Provided also that this title-deed shall not be considered in any way to grant to or vest in the said A. B., his heirs, personal representatives or assigns the right to trees of the seven descriptions of timber specified in the margin which are hereby reserved to the Government of His Highness the Maharaja of Mysore subject however to the following conditions, namely :—

1. Honne.
2. Lac tree.
3. Nandi.
4. Poon.
5. Teak.
6. Blackwood.
7. Sandalwood.

(*a*). That the said A. B., his heirs, personal representatives or assigns shall at all times be allowed to use free of charge for their own *bonâ fide* use any reserved tree other than sandal, growing or to grow on the above said land.

(*b*). That the said A. B., his heirs, personal representatives or assigns shall be permitted at any time to purchase the Government right to the aforesaid reserved trees, except sandal, upon a fair valuation of their value at the time of such purchase.

(*c*). If the Government right to the aforesaid reserved trees, except sandal, is not purchased by the said A. B., his heirs, personal representatives or assigns as above provided for, a seigniorage at such rates as the Government may from time to time fix shall be leviable upon all the aforesaid reserved trees which may be felled otherwise than for the *bonâ fide* private use of the said A. B., his heirs, personal representatives or assigns, the felling and disposal of sandal being always reserved to the Government.

Specification of the Land.

District.	Taluk.	Village.	Name, if any.	Boundaries.	Survey No.	Extent.	Assessment.

Dated this the day of 188 .

By order of the Government of His Highness the Maharaja of Mysore.

Superintendent of the Revenue Survey and Settlement.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 24th March 1885.

FORM B.

COFFEE TITLE-DEED.

Whereas A. B., holder of the land specified in schedule hereunder written, has made application that the rules for the Survey and Settlement of lands held under Government may be applied to the said land, and that the assessment upon the said land may be fixed for a period of 30 years from and whereas the said A. B. has paid the actual cost of the durable demarcation of the said land, and has agreed to pay on account of the said land during the said period of 30 years an annual land revenue assessment of Rs. I, C. D., Superintendent of the Revenue Survey and Settlement in Mysore, acting under the authority of the Government of His Highness the Maharaja of Mysore, do hereby grant and confirm the said land to the said A. B., his heirs, personal representatives and assigns, under the terms of the Survey Guarantee and subject to the provisos hereinafter mentioned, and subject also to the regular yearly payment of the sum of Rs. as the land revenue assessment of the land, until the same is revised in accordance with the law for the time being in force.

(1). Provided that this assessment shall be paid for each revenue year to the proper receiving officer on or before the 31st March in that year, failing which it will be recoverable by the ordinary process for recovering arrears of land revenue in Mysore.

(2). Provided also that the said A. B., or other lawful owner of the said land shall, at all times hereafter at his own expense, repair and maintain in good order the boundary marks erected round and in the said land, failing which it shall be lawful for His Highness the Maharaja's Government after due notice to cause the repair of the said boundary marks to be carried out and to recover the cost of such repair as a revenue demand from the said A. B., or other lawful owner.

(3). Provided also that this title-deed in no way affects the liability of the above said land to such rates or taxes other than land revenue as are or as may be imposed by law, whether for general, municipal or other local purposes; nor does it in any way affect any rights or interest which other parties may have in the said land.

(4). Provided also that nothing in this title-deed contained shall affect the existing or customary rights of Government or of proprietors of lands adjoining or lying near the said land in all existing roads and paths and in streams of water running through or bounding the said land.

(5). Provided also that this title-deed shall in no way be considered to grant to or in any way vest in the said A. B., his heirs, personal representatives or assigns any right, title or interest in or to precious stones, gold and other minerals or coal or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal known to exist or which may at any time hereafter be discovered on or under the said land or any part thereof—all of which are hereby respectively reserved to the Government of His Highness the Maharaja of Mysore subject to the following conditions, namely.—

(*a.*) That if the said Government decides to work any mine upon the land, either by itself or its servants, agents or other persons by it duly authorized, then the said Government shall have full and free liberty and right of ingress, egress and regress by nearest way at all times for itself and its servants, agents and workmen and for all persons by it duly authorized, in and upon the said land and premises, and either with or without horses and other cattle, carts and wagons and other carriages and to erect on the said land and premises and to use any engines or machinery for the purpose of searching for, working, getting and carrying away the said precious stones, gold and other minerals and coal and with full liberty for the said Government to sink, drive, make and use upon the said land, mines, pits, shafts, drifts, adits, air courses and water courses and to use all water which may be lifted or raised from the same, and also to appropriate and use any part of the surface of the said land and premises for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be got from the said mines, and generally to do all other acts and things necessary or proper for working and getting the said precious stones, gold and other minerals and coal and rendering the same merchantable, the said Government paying or rendering compensation to the said A. B., his heirs, personal representatives and assigns for all damage which the said A. B., his heirs, personal representatives or assigns shall sustain by reason of the exercise by the said Government of such right of way as is hereinbefore reserved, or by the erection and use of any such engines, machinery or works as are hereinbefore mentioned, or the exercise of all or any of the rights hereinbefore reserved to the said Government, provided always that nothing hereinbefore contained shall authorize the said Government to sink any mine, pit or shaft or to exercise any of the rights hereinbefore reserved to it upon any part of the said land and premises which shall be occupied by any messuage or dwelling house or its curtilage or by any enclosed garden or orchard, and provided further that if the said Government and the said A. B., his heirs, personal representatives or assigns do not agree as to the amount of compensation to be paid to the said A. B., his heirs, personal ropresentatives or assigns, the amount of such compensation shall be settled in accordance with the procedure, prescribed by the Land Acquisition Act, 1870, for determining the amount of compensation.

FORM C.

(GRANT OF LAND ON GRASS ASSESSMENT.)

I, C. D., Superintendent of the Revenue Survey and Settlement in Mysore, acting under the authority of the Government of His Highness the Maharaja of Mysore, do hereby grant to A. B., his heirs, personal representatives and assigns the land specified in the schedule hereto annexed for purposes of pasture and growth of firewood for a period of 30 years from and subject to the provisos hereinafter mentioned and to the regular yearly payment of Rs. as the land revenue assessment of the said land until the same is revised as hereinafter provided or in accordance with the law for the time being in force.

(1). Provided that this assessment shall be paid for each revenue year to the proper receiving officer on or before the 31st March in that year, failing which it will be recoverable by the ordinary process for recovering arrears of land revenue in Mysore.

(2). Provided also that the said A. B. or other lawful owner of the said land shall at all times hereafter at his own expense, repair and maintain in good order the boundary marks erected round and in the said land, failing which it shall be lawful for His Highness the Maharaja's Government after due notice to cause the repair of the said boundary marks to be carried out and to recover the cost of such repair as a revenue demand from the said A. B. or other lawful owner.

(3). Provided also that this title-deed in no way affects the liability of the above said land to such rates or taxes other than land revenue as are or as may be imposed by law, whether for general, municipal or other local purposes, nor does it in any way affect any rights or interest, which other parties may have in the said land.

(4). Provided also that nothing in this title-deed contained shall affect the existing or customary rights of Government or of proprietors of lands adjoining or lying near the said land in all existing roads and paths and in streams of water running through or bounding the said land.

(5). Provided also that this title-deed shall in no way be considered to grant to or in any way vest in the said A. B., his heirs, personal representatives or assigns any right, title or interest in or to precious stones, gold and other minerals or coal or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal known to exist or which may at any time hereafter be discovered on or under the said land or any part thereof—all of which are hereby respectively reserved to the Government of His Highness the Maharaja of Mysore together with full and free liberty and right of ingress, egress and regress by nearest way at all times for the said Government and its servants, agents and workmen and for all persons by it duly authorized in and upon the said land and premises and either with or without horses and other cattle, carts and wagons and other carriages and to erect on the said land and premises and to use any engines or machinery for the purpose of searching for, working, getting and carrying away the said precious stones, gold and other minerals and coal and with full liberty for the said Government to sink, drive, make and use upon the said land, mines, pits, shafts, drifts, adits, air courses and water courses and to use all water which may be lifted or raised from the same, and also to appropriate and use any part of the surface of the said land and premises for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be got from the said mines; and generally to do all other acts and things necessary or proper for working and getting the said precious stones, gold and other minerals and coal and rendering the same merchantable. But notwithstanding anything hereinbefore contained, the said A. B., his heirs, personal representatives or assigns shall always be allowed to use free of charge any lime-stone, granite and ordinary minerals other than metals or coal or precious stones which may be found on or under the said land and which may be applied to the *bonâ fide* private use of the said A. B., his heirs, personal representatives or assigns and not removed for purposes of sale.

(6). Provided further that this title-deed shall not be considered in any way to grant to or vest in the said A. B., his heirs, personal representatives or assigns the right to trees of the nine descriptions of timber specified in the margin which are hereby reserved to the Government of His Highness the Maharaja of Mysore.

1. Honne.
2. Lac tree.
3. Nandi.
4. Poon.
5. Teak.
6. Blackwood.
7. Sandalwood.
8. Wild jack.
9. Karachi.

(7). And provided further that if any portion of the above said land be at any time applied to purposes, other than those of pasture and growth of firewood, by being brought under cultivation, such portion, if in a clearly defined separate block, or the whole of the above said land, if such portion is not in a clearly defined separate block, shall be liable to be charged with full assessment at the prevailing rates of land revenue assessment for such part of the period of 30 years to which this lease extends, as may remain unexpired at the time of such cultivation, the land on which such full assessment is charged being thenceforth held in all other respects on the terms of the title-deed in Form B published with the Dewan's Notification No. 242, dated 24th March 1885.

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Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 24th March 1885.

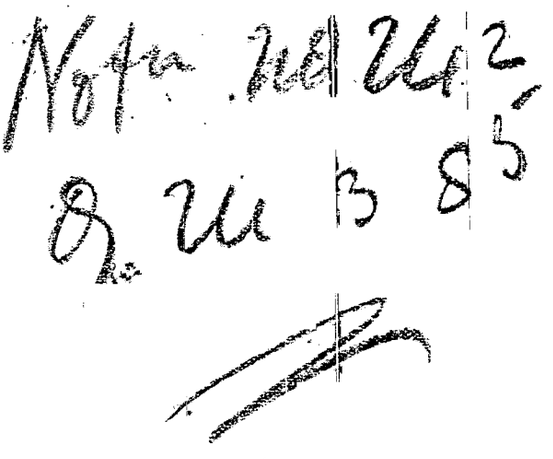
Specification of the Land.

ıtrict.	Taluk.	Village.	Name, if any.	Boundaries.	Survey No.	Extent.	Assessmer

Dated this the day of 188 .

By order of the Government of His Highness the Maharaja of Mysore.

Superintendent of the Revenue Survey and Settleme



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GENERAL.

NOTIFICATIONS.

The 2nd April 1887.

Camp No. 6.—In future grants of lands on grass assessment under para 10 of the Notification No. 242, dated 24th March 1885, prescribing rules for the settlement of coffee lands on an acreage assessment, Bili Matti (ಬಿಳಿಮತ್ತಿ) and Kari Matti (ಕರಿಮತ್ತಿ) will be added to the list of trees reserved to Government under para 6 of the aforesaid Notification.

Camp No. 8.—Under para 5, clause (*b*), of Notification No. 242, dated 24th March 1885, relating to the settlement of lands granted for coffee cultivation, the following rates of seigniorage duty are fixed for the several classes of reserved trees growing on coffee lands which may be felled otherwise than for the *bonâ fide* private purposes of the holder :—

Teak	..	..	Rs. 8	per tree felled.
Poon	..	..	„ 6	do
Blackwood	..		„ 8	do
Honne	..	..	„ 3	do
Jalari	..	..	„ 3	do
Nandi	..	..	„ 3	do

By Order,

R. VIJAYINDRA RAO,
Chief Secretary.

21

(4)

1888.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS.

Dated 25th May 1888.

Camp No. 458—60.

Publishing an additional Rule to the Rules for the grant of unoccupied Government lands for coffee cultivation.

Mysore Government Press, Bangalore,—6-6-88,—126

Proceedings of the Government of His Highness the Maharaja of Mysore, (Revenue),—dated 1st September 1890.

READ AGAIN—

Dewan's Proceedings (Camp) No. 458—60, dated 25th May 1888.

READ THE FOLLOWING LETTERS :—

From Deputy Commissioner, Kadur, No. 146, dated 7th July 1888.

From Deputy Commissioner, Hassan, No. 215, dated 6th August 1888.

No. 6326-8—182, DATED BANGALORE, 1ST SEPTEMBER 1890.

ORDER THEREON.—In consultation with the Deputy Commissioners of Kadur and Hassan Districts, the Government of His Highness the Maharaja is pleased to direct that the limit of extent up to which grants of land under the new Rule XII sanctioned in Proceedings Camp No. 458—60, dated 25th May 1888, may be made by Deputy Commissioners shall be ten acres. The following Notification will accordingly be published in the Mysore Government Gazette :—

Notification.

No. 223.—To Rule No. XII published in Notification No. 461, dated 25th May 1888, the following proviso should be added:—

Provided that in no case shall, the extent of land to be granted by Deputy Commissioners under this Rule XII, exceed ten acres for any single estate without the previous sanction of Government.

T. ANANDA ROW,
Chief Secretary.

To—The Deputy Commissioners of Hassan and Kadur Districts.
The Superintendent, Revenue Survey.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 25th May 1888.

READ THE FOLLOWING PAPER:—

From the Deputy Commissioner, Kadur District, To the Chief Secretary to the Dewan of Mysore, No. 490, dated Chikmagalur, 28th March 1888.

I have the honor to state that para (*b*) of clause 9 of the Government Notification No. 242, dated 24th March 1885, provides for the sale of unoccupied lands applied for on the terms of the settlement of coffee lands, sanctioned by Government in No. 3662-70—98, dated 2nd August 1881.

The arrangement contemplated in the clause referred to was brought into effect with the issue of the rules for the grant of unoccupied lands for coffee cultivation prescribed in the Proceedings of the Dewan No. 1860 –71, dated 10th March 1887.

2. In Proceedings No. 762—5, dated 11th July 1885, the grant of small portions of kharab land for coffee drying grounds at Rs. 1—8—0 per acre to certain individuals was sanctioned and the principle of "thus assessing lands required for purposes connected with coffee cultivation" was ordered to be followed.

3. Whether such small portions of kharab land when applied for by the holders of the adjoining estates for the purposes mentioned should be disposed of by public auction at the upset price fixed by the rules has not been specifically decided, and no distinction has been drawn between the method of acquiring land for actual coffee cultivation, and of acquiring land for purposes connected with coffee cultivation, such as:—

1. Drying grounds.
2. Pulper building and washing cisterns.
3. Store buildings.
4. Cooly lines.
5. Bungalows.

4. In some cases such lands are open grass lands with hardly any trees and quite unfit for coffee cultivation, and the question arises whether it is the intention of Government to levy the upset price on these lands and to subject them to sale by open competition.

5. I would propose that lands to be devoted to any of the purposes enumerated in para 3 should be acquired without sale, but at a fair valuation, and that the assessment should be at 1—8—0 or 1 rupee per acre according as the estate is held on a permanent or on 30 years' tenure.

CAMP No. 458—60, DATED 25TH MAY 1888.

ORDER THEREON.—The Dewan concurs in the recommendation of the Deputy Commissioner that lands required by holders of coffee estates, *bonâ-fide* for purposes connected with coffee cultivation, such as drying grounds, store buildings, &c., should be granted to them at a fair valuation and without sale, subject of course to the prescribed assessment. The following notification will accordingly be published in the Gazette:—

NOTIFICATION.

The 25th May 1888.

CAMP No. 461.—With reference to Notification Camp No. 1874, dated 10th March 1887, the following additional rule in regard to the grant of unoccupied Government lands in connection with coffee cultivation under para 9 of Notification No. 242, dated 24th March 1885, is published for general information and guidance.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 25th May 1888.

XII The Deputy Commissioner may, in his discretion, grant to the holder of a coffee estate on a fair valuation and without an auction, any moderate extent of kharab land adjoining his estate, which may be unfit for coffee cultivation, but required *bonâ-fide* for purposes of coffee cultivation, such as (1) drying grounds, (2) pulper buildings and washing cisterns, (3) store buildings, (4) cooly lines and (5) bungalows. In making grants under this rule, due regard shall be had to the provisions of the preceding rules as far so they apply.

Land granted under this rule shall be assessed at rupee 1 or Rs. 1—8—0 per acre according as the estate for the service of which it is granted is settled on the 30 year or permanent settlement respectively.

2. The Deputy Commissioners of Kádur and Hassan will be requested to report what limit of extent should be prescribed for grants under the new rule above sanctioned.

R. VIJAYINDRA RAO,
Chief Secretary.

To—The Deputy Commissioner, Kadur District.
The Deputy Commissioner, Hassan District.
Copy to the Survey Superintendent for information.

25

(5)

1890.

GOVERNMENT OF MYSORE.

REVÉNUE.

PROCEEDINGS.

ted 1*st September* 1890.

No. 6326-8.
182.

Fixing the extent of land which Deputy Commissioners may grant to owners of coffee estates under new Rule XII sanctioned in Proceedings No. 458—60, dated 25th May 1888.

Mysore Govt. Central Press, Bangalore.—11-9-90.—120.

CHIEF SECRETARY'S OFFICE.

REVENUE BRANCH.

(8)

OFFICE NOTE.

SUBJECT. In regard to the grant of lands at the grass rate of as 4 per acre.

LAST REFERENCE. Letter No. 551 dated 18th April 189:

from the Dy: Commr, Kadur Distrct

The Deputy Commr. re-
-ferred for the opinion of the
Survey Supdt:, the question
as to whether applications
from Coffee Planters for
grass land at 4 as per acre
for purposes of pasture
or growth of firewood in
connection with their coff
estates could be enter-
-tained, and whether the
lands, if granted, might
be put up to auction,

Subject

Vide letter No. 1023 of 27th Septr 1890 from the Dy: Commr to the Survey Supdt: (Serial No. 1/a)

Subject to an upset price of Rs. 10. He also stated that clauses 6 & 29(b) of Notfn: no. 242 & 24th March 1885 reserved in special cases to Govt. the right to trees growing, or to grow, on lands held on grass assessment, and that there was an application for 29-4-32-9 of land, of which about 4 acres were required for purposes connected with coffee cultivation, such as, building, drying grounds, &c, as provided for in Notfn: no. 461 & 25th May 1888, and the remainder for purposes of pasture at 4 as an acre. The Dy: Commr stated that he was not in favour of granting lands for grazing purposes at 4as per acre, but if such was to be done, he would sell the

Spare copy put up. (Serial no. 2)

Spare copy put up. (Serial no. 4)

× (Colonel Campbell,

4. The Dy. Commr in Sub-mitting the following Cases for the orders of Govt. says that there is nothing either in the Land Revenue Code or in the Rules framed thereunder which can throw light on the Subject in question.

(a) Applications are rec'd from time to time for grant of new lands on pay rate of annas 4 per acre & they are agreed for. Grant of requisite Orders of Govt.

Quite Right — Ltr

(b) Cases in which Coffee Planters who kept all their lands at the Settlement and found Sub-sequently that a larger portion was quite unfit for coffee cultivation, now applig for the commutation of the coffee assessment of these lands. viz Rs 1-8-0 or Re 1 into grass assessment of 4 as per acre.

(c) New applicants for portions of coffee lands finding on resurvey that a part of the land applied for is wholly unsuited for coffee, & desiring that such part

There should be declined — there will be no end to revision if a settlement once made is to be thus revised — Subdivns & Amalgamations may be permitted, and the occupant may resign any portion he does not want — under the above Rules — There can be no revision or commutation

Rates Ltr

† The Dy Cr has no authority to sanction a Resurvey — There can be no resurvey except under Rule 8 page 46 (Rev M. 1886)

vide letter no. 477 d
10th October 1890 from
the Supdt. of Rev. Survey
to the Dy: Commr.
(Serial no. 6)

land in public auction Sub-
ject to an upset price of Rs. 10
which, he thought, would
be a sufficient restriction.
2. The Survey Supdt. inform-
ed the Dy. Commr that al-
though Notfn no. 242 d 24th
March 188 might be read
as permissive of unoccupied
grass lands being granted
as an adjunct to, and in aid
of existing coffee lands, it did
not contemplate the grant
of such lands as a general
measure, that this view was
supported by Notfn: No. 461
of the 25th May/88, in which
the purposes connected with
coffee cultivation for which
the lands were required, were
defined, and that the rates
at which such grants should
be made, should moreover
be either Rs. 1-8-0 or Re 1-0

inter with Pro: No (Camp) 458-60
-th May/88. Spare copy put up.
(Serial no. 4)

per acre. The Supdt: further stated that it was not advisible that the grant of 4 acres under Notfn: No. 461 should be admitted as a pretext for the grant of the remaining portion of 29-32 on terms opposed to the Notfn: itself & that he was against the grant of land for grazing purposes.

3. When the Dy: Commr. referred the above correspondence for the information of Govt. & requested the issue of a general Rule on the Subject, he was directed to dispose of individual cases of the kind under the Land Rev: Rules which had been issued subsequent to the reference made by Dy: Commr. ~~report~~, and to report for the orders of Govt. any case which might not be covered by the said Rules.

31

× vide his letter No. 327 18th October 1890. (Serial No. 1)

* vide Progs: No. 12/3 5th Feb. 1891 (Serial No. 6)

be given to them on grass tenure, the rest being kept on coffee tenure.

The Deputy Commr is of opinion that, as per Rules ⊗ 1 to 4 of Appendix E to the Land Rev: Rules, these applications may be granted, if, on inspection, a Rev: officer is satisfied that the land is wholly unfit for coffee cultivation & that it is not required for forest or other purposes. The Dy: Commr further suggests that as some grass land is a necessary adjunct to a coffee estate, the same may, as per Rule* 12 of Appendix E, be given out on a fair valuation without an auction, on the condition that the holders will not have any right to use the land for purposes other

⊗. These Rules do not say anything in regard to the grant of lands at Mineral rate of as. 4.

Irrelevant

?

* The Rule says that Kharab land adjoining an estate, which may be unfit for coffee cultivation may be granted on a fair valuation & without an auction, only for the following purposes connected with coffee cultivation & not for any other
(1) Drying grounds
(2) Pulper buildings & washing cisterns
(3) Store buildings
(4) Cooly lines
(5) Bungalows —

than those of pasture and firewood, and that the other conditions of the grant may be those that are laid down in Form C prescribed at page 108 of the Rev: Manual the Dy: Comm^r being to note that under the present Sys^m which does not authorize the grant of lands at as 4 per acre, a large amount of Revenue is lost to Govt, and that the Form of Title used (C) printed at page 108 of the Rev: Manual is omitted from the Appendix to the Land Rev: Rules.

Submitted for orders.

D. D.

30/5/93

Each case must depend on its own merits. No general rule can well be made. The order

This is a question however with conditions for matured grant - I do not see why the old Colonial tenure should not be revived by wh a man is permitted to hold the party rights only on certain land paying a small annual fixed rent thereon, the land being liable to be taken back when req^d for cultivation or Govt purposes.

H.

passed in each case during the settlement will be given due effect to. If the settlement be subject to adjustment on re-survey then such adjustment as regards assessment, & classification &c: as may be called for in each case will be made. Re survey & re adjustment of assessment, and especially Commutation of Coffee assessment into one of grain assessment cannot be ordered as a matter of course.

The settlement rules as to re-survey regarding purposes of the settlement were over long ago

All applications for Coffee lands must be dealt with under the rules & it is the duty of the applicant not to apply for land which is in any respect unsuited for Coffee cultivation.

The rules in App: E are for the grant of land for

(1) Coffee or Cinchona cultivation

(2) purposes connected with Coffee cultivation

such as "drying grounds &c
In either case the land will
be subject to a permanent
tenure (Rs. 1"8"0 per acre)
or a tenure on 30 years
guarantee (Re 1"0"0)
per acre. Thus there is
no necessity for appending
Form 'C' of the title deed
form to these rules, as they
do not provide for the
grant of land on the
grass assessment of
4 as per acre.

Now as regards applications
for new lands on grass
assessment —

Col. Grant says "although
Notn no 242 dated 24th May
1885 may possibly be read
as permissive of unoccu-
pied grass land being
granted as an adjunct
to & in aid of existing
Coffee lands, it does not
appear to me that such
grants

36

Please see Page 96
the Rev: Manual.

⊗
ther already forming
of the holding already
ed by the old title
eed.

Grass land so called
is always separated
demarcated & sometimes
into separate farms
Inspectors

36 The rate of tax: is provided
for in rule ~~3~~ 4 of the terms
for the settlement of
Coffee lands & was in-
tended for assessing grass
lands ⊗ on estate

When grass land is
brought under cultivation
whether partly or wholly
full assessment may
be charged thereon under
Cl: 7 of title deed form
C (Page 108 of the Rev
Ml:) But it would
be long before such
cultivation is found
out, especially when the
grass land closely adjoins
the main estate.

Submitted for
orders

H
31/5/93

~~Inducements~~ 37

37

No applications for at 4 annas per acre
grass lands can be ordinarily
received by ~~the~~ a Dy
Comrs — when a large
tract is applied for
Coffee cultivation, & if
portions of that tract within
defined limits are grass
lands unfit for cultivation,
the Dy Comrs may in
communication with the
Supt of Revenue survey
& settlement, fix the
assessment of such tract
at the grass rate of 4
annas per acre — Applications
for grass lands may be
entertained also by the
present holders of Coffee
estates, if those lands
are situated in the neighbourhood
of their estate, & the Supt
for the survey & settlement pronounces
(1) the same unfit for coffee or other
cultivation, provided
(2) not applied for under the
with exceed 4
a of land

After the assessment has
been so fixed,
whole block and
the grass lands
thereof be sold
in Public auction

~~I believe that~~

No applications for at 4 annas acre
grass lands can be considered
received by the Dist
Comrs — When a large
tract is applied for
Coffee cultivation, & of
portions of that tract other
defined limits are grass
Lands unfit for cultivation,
the Dist Comrs may in
communication with the
Supt of Revenue Survey
& Settlement, fix the
assessment of such tract
at the grass rate of 4
annas acre — Applications
for grass lands may be
entertained also by the
present holders of Coffee
Estates, if those lands
are situated in the neighbourhood
of their estate, & the Supt
of Rev Survey & Settlt pronounces
them to be unfit for coffee or other
cultivation, provided
the extent applied for
does not exceed ¼
of the area of land

After the assessment
has been so fixed, the
whole block including
the grass land
shall be sold
in Public auction
subject to [illegible]

by the applicants at
grass rates

36 The rate of 4as. is provided for in rule 34 of the terms for the settlement of Coffee lands. I was instructed for assessing grain lands on an estate

Please see Page 96 of the Rev. Manual.

⊗ Rather a heavy forming part of the holding already covered by the old title Deed.

when grain lands brought under cultivation whether partly or wholly full assessment may be charged thereon under Cl. 7 of title deed form C. (Page 108 of the Rev. Ml.). But it would be long before such cultivation is found out, especially when the grain land closely adjoins the main estate.

Grain lands so called is always separately demarcated from the coffee lands in separate surveys numbers.

Submitted for orders

31/5/93.

were contemplated as a General measure by the Notification"... and he is opposed to the grant of lands for grazing purposes.

Clauses 9(a) & 9(b) of the Note referred to appear to provide for lands on grass assessment also. Clause 9(b)× is clearer than the other. It is stated in this clause that the grant will ordinarily be made only to the purchaser at a public sale subject to the upset price. But the D/C recommends the grant ~~of~~ on fair valuation. Col. Campbell was not in favor of granting lands for grazing purposes at Rs 10 per acre, but if such was to be done he proposed that the land should be sold subject to an upset price of Rs 10/-

× Note Camps No. 6 dated 2d April 1887 begins with the words "In future grants of lands on grass assessment ----" (Serial No. 3)

already taken up
by the surrendered
for coffee cultivation —
such lands need
not be sold in a Public
auction, but may be
given to the applicant
on a fair valuation. —

2. Planters who
have already taken up
lands & fail coffee
raised must either keep
the lands or give them
up. — They must
already charged cannot
be permitted to be
altered. —

3. If coffee lands
have in any case
forfeited, subject
to the revision of
assets on re-survey,
such portions as are not
fit for coffee lands

cultivation may
be assessed at
grass rates.—

4. Form of Schedule
C was not enacted
in the Revenue rules, as
it was not intended
to grant leases for
grass, generally to
all applicants — but
in the special cases when
they are granted, the
form may be used:—

5. There is no objection
to all available grass
lands being leased out
from year to year for
grazing purposes, under
the rules applicable
generally for the sale of Halbanni
~~of grass~~ lands, but
they should never be
given out ~~for a long~~
permanently or at a fixed
rate of assessment.

6. I issue an order to
the foregoing effect

Dec 30/1918

Dated Ootacamund
the 30th November 1918.

Dated Ootacamund
the 30th November 1918.

Draft for approval

n. after Sched.
A.R.
31/1

The "Grass" rate of 4 annas an a— allowed at the introduction of the Coffee Settlement in the State, was a special rate adopted for the purpose of avoiding hardship to holders of Coffee Estates having interspersed Grass lands unfit for Coffee or other Cultn.— The lands had all been taken up originally under the Halat System & on the abolition of this System it was considered undesirable to Compel ~~holders~~ holders either to pay full assessment on, or to relinquish, all ~~lands unfit~~ uncultivable waste fit only for pasturage. Hence the Govt resolved to grant such lands on the Halgeyrul tenure ~~long so well known~~ which so long existed in former times & the terms of this tenure were specified in the form of Title C which was prescribed—

No new unoccupied lands can be granted on this Special

42

44

10/2

Vide the Hon'ble Revenue Councillor's note on the draft of Govt. Pro: No 13101-9 dated 6th February 1894. R.J. 154-93

"Issue - but send me "a printed copy together "with Form C, as I have to "speak to the Diwan on the Subject."

Submitted as directed

R.J
26/2/94.

28/2

tenure: ~~that~~ All lands newly taken up must be granted with full rights of occupancy & upon the full purchase assessment. The grass tenure it will be pointed out does not carry full rights of occupancy for it reserves in fact to the Govt - all rights to reserved trees & minerals & increased assessment when cultivated ~~cultivation~~ brought under cult[illegible]

29/1/94.

Note for Mr Swan.

Col Grant's Memorandum of 17th April 1894

Col Grant proposes to strike out the 2d sentence in para 4 of Govt Res 6th July 1894. If this is done, my objection disappears.

2— Col Grant says that if the land applied for is fit for coffee, it should be granted at the coffee rates. If not, at Survey rates.— This is apparently the course he proposes to adopt in all Districts & this seems to be right.

But if there is

This order will not be complete. It may not be easy "to ascertain at the full proper assessment at Coffee or Dry rates as may be fixed by the survey depts or the Dy Comr's."

unassessed

I agree to this order by

9/12/94

R Bruce

11/12/94

Draft sub'd to Council

done in all

Qtn, how can the Dewan's description of Coffee land, as to Land situated in the Malnad, fit in to meet the case? The description would simply that Land out of Malnad cannot be granted at Coffee rates..

Col Grant says that "it is undesirable to grant ~~land~~ lands excepting for bona fide cultivation". I do not see why we should not grant them on survey assts - simply because the applicant would to use the land

for pasturage.

shewed thereby we claimed
grant lands, whether
it be for pasturage or
cultivation, of the
appellant is willing to
pay assessment at
full rates & not grass
rates. ——

4th I cannot for
dispersing coffee land
I do not see why all
lands in the Mandal
should be excluded
from Coffee rates. I
would return the proceed
of grazing lands either
at Coffee rates or the dry
rates in the hands of Gul-
lee they instruct the
Dy Comrs of Mandal
Dts so to treat the

especially when we
see that attempts
are being made to
introduce coffee
into the Mandal.

orders of Govt when
the lands are wanted at
Coffee rates. See the
Malnad Dy Conrs
may be D.C.'s to give
the lands not fit for
Coffee at Dry rates, or
wet rates as the case
may be, but none at
Brass rates.

CL
23/5/94

2/
2.56

OFFICE OF THE
7047
21 OCT 90
399
DEWAN OF

(General Serial No. 31.)

1880.

From

DEPUTY COMMISSIONER'S OFFICE,
CHIKMAGALUR.
KADUR DISTRICT.

Dated 18th October 01

To The Chief Secretary to the Government of Mysore

Dated

Despatched 18th October.

Received

Enclosures No. 2

General No. 327
No.

I have the honor to co
forward copies of the ca
* marginally noted corres
= spondence between my
= self and the Survey
Superintendent, and to
state that although I
am disposed to agree
in the opinion expresse
by Col: Grant, I think
it advisable to solici
a ruling of Governme

LR
64-1890

Order
Subsequent to the date of this report the Rules under the LR Code have been completely revised, & the Govt would be pd. to have before them Criminal cases under those Rules - Any Case which may not be covered by them will be submitted for Application should be reported with full particulars for orders. KJ
Letter 6/12/90
Drafted 6/12/90

* This office letter No: 102 Dated 27th September 1890.
Survey Superintendent Tenderi's do. letter No: 447 dated 10th October 189

LR
C1
6/10/90

Ag 27/10 GR GR

3 Kadur District Dy Comm.
Dated Chikmagalur 27th Sept.

No. 1023.

(1/a)

81

To

The Superintendent
Mysore Rev: Survey

Sir,

I have the honor to request your opinion whether applications from Coffee Planters for grass land at 4 as: an acre for purposes of pasture or growth of firewood in connection with their Coffee Estates Can be entertained, and if so whether the land should be put up to auction at an upset price of Rs 10/-

2. The latter part of clause 9 b of Notifi= =cation No. 242 dated 24th March 1885, which deals with future grants, has a reference to clause 6 of the said Notification which reserves the right of Government to trees growing or to grow on lands held on grass assessment.

3. Notification No. 6 dated 2nd April 1887, be= =gins with the words "In future grants of lands on grass assessment under para 10 of the Notification No: 242 of 24th March 85."

4. A case has occured in which application has been made for 29.32 acres of land of which about

nt 4 acres are required for purposes con-
nected with coffee cultivation such as
buildings drying ground &c as provided
for in Notification No 461 dated 25th May
'8, and the remainder for purposes of
pasture at 4 as: an acre.

5. I am not in favor of making
grants of land for grazing purposes at
4 as: per acre. But if they are to be made
as appears to have been contemplated
in the Notifications in 1885 & 1887 quoted
above, I think that putting the land
up to auction at an upset price of Rs 10/-
per acre, will be a sufficient restriction.

I have &c

Signed J. A. Campbell Colr
Deputy Commissioner

"Copy"

Campbell Colr.
Deputy Commissioner
Kadur District

Asst.

2

on the Subject.

I have the honor to be

Sir

Your most obedient Servant

Deputy Commissioner

Kadur District

S. 4 (16)

477

Survey Superintendent's Office
Bangalore 10th October 1890

To the Dy Comr
Kadur Dt.

Sir,

I have the honor to state, in reply to your letter No. 1023 of the 27th ultimo, that although Notification No. 242 dated 24th March 1885 may possibly be read as permissive of unoccupied grass land as being granted as an adjunct to, and in aid of, existing Coffee lands, it does not appear to me that such grants were contemplated as a general measure by the Notification in question. This view is supported by Notification No. 461 dated 25th May 1888 in which the purposes, connected with Coffee cultivation, for which the land must be required before it can be granted, are defined; and the rates on such grants must moreover be either Rs 1-8-0 or Rs 1-0-0 per acre. I am myself strongly opposed to the grant of lands for grazing purposes and in the case you cite, I do not think

it

that the grant of 4 acres under Notification
No. 461 of 25th March 1882 should be ad-
mitted as a precedent for the grant of the
remaining portion of the 29.32 acres of
land on terms opposed to the Notification
itself.

I have &c—

Signed J. P. Grant

Superintendent Mysore Revenue Survey

"Copy"

Mysore Col.

Deputy Commissioner

Kadur District

And

1/4 Fb R. 7 1 6 (6)

LR
84-1892
No 2

80

The Hy Comm. Kadur

5th Feby 1891

Brief re. application

No 12306/334

Referring the Deputy Comm. to the Rules framed under the Land Revenue Code for disposal of applications from Coffee Planters for grass land for pasturage or growth of firewood in Connection with their Estates.

(6)

Read,

Letter from the Deputy Commissioner, Kadiri Dist.to No. 327 dated 18th October 1890, submitting copy of correspondence between himself and the Superintendent, Revenue Survey, involving the question whether applications from Coffee Planters for grass land at 4 annas per acre, for purposes of pasture or growth of firewood in connection with their estates can be entertained, and if so, whether the land should be put up to auction at an upset price of Rs 10/- and requesting a ruling on the subject.

Order- $\frac{12306}{334}$ 95-7-91

Subsequent to the sale

10 58 (7)

(General Serial No. 30.)

11972

1893 No. R2960

From The Deputy Commissioner
Kadur District

To The Chief Secretary to the Dewan
of Mysore.

Serial No. 3

Dated 18th April 1893

Despatched 19th

Received

Enclosures No. nil

General No. 551 1892-93
No.

Requesting an authoritative ruling in the matter of the grant of lands on grass rate of annas 4 per acre, as the Land Revenue Code or Rules throw no light on the Subject, &c

Comm'rs Off Bio Circls Rec 1310-9 86-2/94.
RA 154-93

Rev Section
20/4
21/4

Submitted with a note.
H.B
30/5

M. G. C. P. Bangalore.—27-1-93.—5,000.

date of the report read above, the Rules under the Land Revenue Code have been completely issued, and the Deputy Commr. will be good enough to dispose of individual cases under those rules. Any case which may not be covered by them or in which there may be doubt or difficulty in ~~their~~ applying them ~~application~~ should be reported with full particulars for orders.

5/2/91

Chief Secy

To the Dy Commr. Kadur
Drafted on Chief Secy orders
MKK
4/2/91

No 35.

Deputy Commissioners Office
Kadur District
Chikmagalur 18th April 18

(7)

From

The Deputy Commissioner
Kadur District

To.

The Chief Secretary to the
Government of Mysore

Sir

With reference to Government Proceedings No $\frac{12306}{334}$ of 5th February 189 in re the grant of lands on grass rate of annas 4 per acre, I have the hono to state that I fail to see anything in the Land Revenue Code, or Rules fram ed thereunder, which would throw light on the subject, and therefore to request for an authoritative ruling

Applications are received from time to time for grant of new lands on grass rate of annas 4 per acre and they are refused for want of definite orders of Government

There are cases in which the

Planters who kept all their lands at the settlement, found ——— subsequently that most of them were were quite unfit for coffee cultivation and in these cases they apply to commute the coffee assessment of these lands of Rs 1/2 or Re 1 per acre into grass assessment of annas 4 per acre. Coffee

Again there are cases in which new applicants for portions of coffee lands find on resurvey that a part of the land applied for is wholly unsuited for coffee, and desire that those parts may be given to them on grass tenure, the rest being kept on coffee tenure. Coffee

In all these cases I am of opinion that the application may be granted, if, on inspection, a Revenue Officer is satisfied that the land is wholly unfit for coffee cultivation, and that it is not required for forest or other purposes. (Vide Rules 1 to 4 of Appendix E to the Land Revenue Rules.)

As some grass land is a necessary adjunct to a coffee Estate, I would suggest its being given out on a fair valuation

tion and without an auction. (Vide Rule 12 of Appendix E.)

The holders will not have any right to use the land for purposes other than those of pasture and firewood. The other conditions of the grant may be those that are laid down in Form C prescribed in page 108 of the Revenue Manual.

I believe that under the present system, which does not authorize the grant of lands at annas 4 per acre, a large amount of revenue is lost to Government, and that if rules in the direction pointed above are introduced the Planters would acquire a very large portion of lands and thereby enhance the Government revenue.

In connection with this reference I beg to bring to the notice of Government that Form of Title Deed C, printed in page 108 of the Revenue Manual, is omitted from the

Appendix to the Land Revenue Rules altogether.

I have the honor to be
Sir
your most obedt Servant

H H Parkes
Deputy Commissioner
Hadur District

Encl:
1.

LR
64-1890
4

Read. (9)

Correspondence ending with letter No. 557 dated the 18th April 1893, from the Deputy Commr. Kadur District

Order thereon:

The Deputy Commr. in soliciting orders on the following points, asks for an authoritative ruling on the subject of granting lands to coffee planters at the grass rate of 4 annas per acre for purposes of pasture or growth of firewood in connection with their coffee Estates:-

ab 13101-9 / R.7.1576/93 d/6-2-94

1) Whether applications for grant of new lands on grass rate, viz 4as per acre, can be entertained

2) Whether applications ~~most of the~~ for the commutation of the coffee assessment of Rs 1-8- or Re 1 into the grass rate of 4 as per acre on the ground that most of the land retained at the settlement is subsequently found to be quite unsuited for coffee cultivation, should be granted; &

3) Whether, in the case of fresh applications for portions of coffee lands, such extent as is found on resurvey to be unfit for coffee should be given to them on grass tenure; the rest being

allowed to be

kept on Coffee assessment.

2. The Deputy Commr. suggests that lands on grass rates may be given out on a fair valuation subject to the conditions prescribed in Form C of the Title Deed for the grant of land on grass assessment

3. The Government observe that the "grass rate of 4 annas an acre" allowed at the introduction of the Coffee settlement in the State was a special rate adopted for the purpose of avoiding hardship to holders of Coffee Estates having interspers

20

brought under

67

station.

Print

2/2/94 Chief Secretary.

1/2/94

The Dy. Commr. Kadur dt.

The Dy. Commrs of other dists

The Supdt, Rev Survey for

information

Issued - but does not appear
Copy required
under Forms C
as I have to
appear in H Court
on H proximo

4/2/94

attended to

W
26/2

19 68

4. No new unoccu
lands can be granted
this special tenure.
lands newly to be tak
up must be granted
full rights of occupa
and upon the full pro
assessment. The gra
tenure, ~~it would be poss~~ Deputy Con
will observe ~~such~~, does not conve
full rights of occupa
for it reserves in fu
to the Government
rights to reserved b
and minerals an
increased assessme

Whe

grass lands unfit for Coffee or other cultivation. The lands had all been taken up originally under the Halah system; and on the abolition of this system it was considered undesirable to compel holders either to pay full assessment on, or to relinquish, all uncultivable waste fit only for pasturage. Hence the Government resolved to grant such lands on the Sulgaval tenure which so largely existed in former times, and the terms of this tenure were specified in the form of the Title Deed C which was prescribed

22

70 (9)

Proceedings of the Government of His Highness the Maharaja of Mysore, (Revenue),—dated 6th February 1894.

READ :—

Correspondence ending with letter No. 551, dated the 18th April 1893, from the Deputy Commissioner, Kadur District.

No. 13101-9—R. F. 154-93, DATED, BANGALORE, 6TH FEBRUARY 1894.

ORDER THEREON.—The Deputy Commissioner in soliciting orders on the following points, asks for an authoritative ruling on the subject of granting lands to Coffee planters at the grass rate of 4 annas per acre for purposes of pasture or growth of firewood in connection with their Coffee Estates :—

(1) Whether applications for grant of new lands on grass rate, *viz.*, 4 annas per acre, can be entertained ;

(2) Whether applications for the commutation of the coffee assessment of Rs. 1—8—0 or Re. 1—0—0 into the grass rate of 4 annas per acre on the ground that most of the land retained at the settlement is subsequently found to be quite unsuited for coffee cultivation, should be granted ; and

(3) Whether in the case of fresh applications for portions of coffee lands, such extent as is found on re-survey to be unfit for coffee should be given to them on grass tenure, the rest being allowed to be kept on coffee assessment.

2. The Deputy Commissioner suggests that lands on grass rates may be given out on a fair valuation subject to the conditions prescribed in Form C of the Title Deed for the grant of land on grass assessment.

3. The Government observe that the "grass rate of 4 annas an acre" allowed at the introduction of the coffee settlement in the State, was a special rate adopted for the purpose of avoiding hardship to holders of Coffee Estates having interspersed grass lands unfit for coffee or other cultivation. The lands had all been taken up originally under the *Halat* system, and on the abolition of this system it was considered undesirable to compel holders either to pay full assessment on, or to relinquish all unculturable waste fit only for pasturage. Hence the Government resolved to grant such lands on the *Hulgaval* tenure which so largely existed in former times and the terms of this tenure were specified in the form of the Title Deed C which was prescribed.

4. No new unoccupied lands can be granted on this special tenure. All lands newly to be taken up must be granted with full rights of occupancy and upon the full proper assessment. The grass tenure, Deputy Commissioners will observe, does not convey full rights of occupancy, for it reserves in full to the Government all rights to reserved trees, and minerals and increased assessment when brought under cultivation.

T. ANANDA ROW,
Chief Secretary.

To—The Deputy Commissioner, Kadur District.
The Deputy Commissioners of other Districts.
The Superintendent of Revenue Survey in Mysore, for information.

Exd.—A.N.S,

23

21

1893-94.

GOVERNMENT OF MYSOR

REVENUE.

PROCEEDINGS.

Dated 6th February 1894.

No. 13101-9.
R. F. 154-93.

Observing that no new unoccupied lands can be granted at the grass rate of 4 annas per acre for purposes of pasture, &c., connected with Coffee estates, and that all lands to be taken up newly must be granted with full rights of occupancy and upon the full proper assessment.

Mysore Govt. C. Press, Bangalore.—14-2-94.—120.

21

Draft for approval

Draft approved by the Dewan

Circulated to

1 Rev. Councillor

2 Jud. Councillors

seen
6/11.
5/24

4. No new unoccupied lands can be granted on this special tenure. All lands newly to be taken up must be granted with full rights of occupancy and upon the full proper assessment. The grass tenure, ~~it will be granted~~ Deputy Commrs will observe ~~ed~~, does not convey full rights of occupancy, for it reserves in full to the Government all rights to reserved trees and minerals and increased assessment when.

I do not anticipate having to increase
or decrease the fixed rate of R 1 or R 1½
for "Coffee land"; the rate is extremely
moderate and compares favorably with
that for similar land in the Wynaad &
Neilgherries.

The term "Coffee land" we must regard
as a technical term in the same way
as "Rice land" & "Garden land" under
our Survey System. A land that not
cause to be "Coffee land" because
it happens to be cultivated with other
crops than Coffee or kept for pasturage.
But we shd. define "Coffee land". I wd
define it as land situated in
the malnad enjoying certain advantages
of Climate & rainfall considered
suitable for the growth of Coffee.
~~without exception~~

In the malnad side by side with
"Coffee land" there exists inferior land
classed lower than Coffee rates, namely
at dry rates of 4 & 6 annas. These
can be taken up & retained as pasture -

~~I wd~~ In regard unassessed land
~~I wd~~ if it is fit for Coffee or intersperced
largely with "Coffee land" I wd
regard the whole as "Coffee lands",

75

In other cases it will be classed as Rice or dry as the case may be - So that unassessed land in the Mukhasa will be assessed at-

Coffee
Dry
Wet
&
Garden

} rates as the case may be -

I fear I can not discuss this till we talk over the matter.
C.C.P.
8/14/94

I deem it extremely inexpedient to introduce into new Coffee holdings differential rates.
J. Asst.

Note for the Dewan
C.C.P.
11/3/94

It will be advisable to commit the Supt Revenue Survey before laying down rules relating to Coffee lands.

19-3-94. [illegible]

At any rate we must get the Survey Supt. definitions of Dry, Garden, & Rice lands as ~~& Coffee lands~~ in use in our classification but we may then attempt a definition of "Coffee Lands"

[illegible]

Called to Rao
Copy has
sent D.O. to
Rao Sahib

20

then brought under

cultivation.

Print

by

2-2-94 Chief Secretary

1/2/94

7.

The Dy. Commr. Kadur

The Dy. Commrs of other Distts

The Supdt, Rev Survey for

information

Issued - but does not appear on record. Letter required under Form C as there is a dispute on the subject

4/2/94

attended

for 1-2-95

4/2/95

Rec'd Bg 18/4/94 Settlement Cancelled 29

Coonoor. Bangalore 47
17th April 1894.

Dear Sir

I have read the Notes by the Dewan and the Hon'ble Chentsal Row respectively on the draft about Copper lands in connection with Govt. Pro: No 13101-9-R.F. 154-93 dated 6th Feb'y 1894.

The Hon'ble Chentsal Row fears that the first two sentences in the draft, Para 4, about grass lands, viz "No new unoccupied "lands can be granted on this special "tenure" and "all lands to be newly "taken up must be granted, with full "rights of occupancy, and upon the full "proper assessment," might lead to the supposition that no unoccupied lands could be taken up on the ordinary Survey assessment. The Dewan proposes to meet the difficulty by more clearly defining "Copper land". It appears to me that, if the second sentence in Para 4 of the draft be omitted, the intention of Govt. that the special rate of 4 annas per acre for grass land shall for the future cease to exist, will be clearly conveyed.

The Copper rates are special and not Survey rates

I fully concur with the Dewan in objecting to differential rates of assessment in new Copper holdings

What are known as the Copper rates must be kept entirely distinct from the Survey rates. There will no doubt be some difficulty in preventing unfair advantage being taken of the existence of a double set of rates, as it were, when applications are received for

comparatively large blank of "Unsurveyed" land, still unsurveyed by the Survey, and the most careful inspection of the land applied for will be necessary. There will be no trouble about lands (unoccupied) already assessed by the Survey; when such lands are dug they an certain not to be fit for coffee, when met the assessment will be higher than the coffee assessment. The sole difficulty will be about the large unassessed Numbers. When an application is received it should be decided whether the land is fit for coffee cultivation; if it is, then the applicant should have as much of it as he wishes, together with any land he may consider a necessary adjunct, and for which he is willing to pay Rs.1½ or Rs.1 as the case may be, made into a separate Number, the whole to be held at the full coffee rate of Rs.1½ or Rs.1. If the land is unfit for coffee cultivation it should, if first decided to grant it, be assessed at the Survey rates. In the case under discussion the presumption is that the applicant would want the land for pasturage and not for cultivation. The Survey rates are cultivation rates and not pasturage rates and I presume that first would not approve of the land being given out at rates lower than the Survey rates which would be fixed after examination and, if necessary, careful classification. Large blanks granted on nominal rates might contain a good deal of land, here and there, fit for rice or even garden cultivation. As I said above it is only as regards lands not already assessed by the Survey that any difficulty will be experienced. Those were left unclaimed because at the time, it would have

L&
No. 64-1890
rial No 5

24

(10)

Note for Mr Dewar

I proposed draft about
grass lands is all right,
but the 1st two sentences in para 4
may be misunderstood.
We say that no new unoccupied
lands can be granted on the
usual tenure (grass tenure)
this is right; but we further say
that "all lands newly to be
taken up must be granted with
full rights of occupancy & upon
the full proper asset". The
full asset for coffee lands
being 1 or 1½ R an acre, our order
may be taken to mean that
no lands for coffee cultivation
can be granted except at 1 or 1½
an acre. I suppose that this
is not our intention. Shall
After the words "proper asset"

Insert

What is the
effect of the
word "proper" and
in this sentence?

M
7/12/90

may not we add some such provisoes as the following?

"By this, it is not meant that no lands required for coffee shall there be granted except at the prescribed rates of 1 or 1½ R an acre. If the lands applied for are already assessed they must be granted on the survey assessment whether it is more or less than 1 or 1½ R an acre, but if they are unassessed lands, the assessment thereon may be either at the prescribed rates of 1 or 1½ an acre, or at the option of the applicant at the proper assessment chargeable thereon if the lands were required for purposes other than coffee cultivation. The rates may be determined by the survey Dept if it exists, or by the Dy Comrs if it does not exist. If the latter acts in that way, it must remain in force only during the currency of the survey settlement."

I suppose it is optional with the parties to take up lands on coffee tenure, or ordinary tenure. All that we want to say, is, whatever be the tenure, the assessment shall be at the prescribed rates of ~~assessment~~ rates. [illegible]

(12) 38

81

Lt
64-1890
Serial No 7

ed again,

Govt Proceedings

13101-9 of 6th Feby 1894.
R7 154-93

ding that no new un-
upied lands can be
ted on the "grass rate
s per acre".

9767-75 of 13.12.94
R7. 154-93 / 15

der thereon:-

~~For clearness~~ Note of statement,

We are pleased to make
following addition to
2nd sentence ending with
ord tenement in line 3 of
a 4 of the Proc read

re.

4 ac coffee, or dry or wet
ter as may be fixed by
Survey Dept or the Dy.
mmr:

2. Thus amplified, para 4
the above proceedings
ill stand as follows:-

4. No new unoccupied
nds can be granted on
y special tenure. All
nds newly to be taken

up

189

From

The Chief Secretary to the
Dewan of Mysore

To

Dated

Despatched

Received

Enclosures No.

General No.

No.

(General Serial No. 30.)

15631.
19-R 91
1893/94 R3108

LR
File No 64-1890
Serial No 6

From Col: J P Grant (11)

To

The Chief Secretary to the
Dewan of Mysore.

Dated 17 April/94

Despatched

Received

Enclosures No.

General No.

No.

I make certain observations on the Note by the Dewan & the Hon'ble Chuttsal Rao on the draft about Coffee lands.

Submitted - for orders -
23/4 For last order - Please see Dewan's note on Hon'ble Chuttsal Rao's note - 19.3.94
Referenced to be marked.

Submitted
23/5/94

M. G. C. Press, Bangalore.—3-2-94.—3000.

56

(12)

84

Proceedings of the Government of His Highness the Maharaja of Mysore (Revenue),—dated 13th December 1894.

READ AGAIN :—

Government Proceedings No. 13101-9—R. F. 154-93, dated 6th February 1894, ruling no new unoccupied lands can be granted on the "grass rate of 4 annas per acre."

No. 9767-75—R. F. 154-93, DATED, BANGALORE, 13TH DECEMBER 1894.

ORDER THEREON—The Government are pleased to make the following addition to the 2nd sentence ending with the word "assessment," in line 3 of para 4 of the Proceedings read above :—

"at coffee, or dry or wet rates as may be fixed by the Survey Department, or the Deputy Commissioner."

2. Thus amplified, para 4 of the above Proceedings will stand as follows :—

"4. No new unoccupied lands can be granted on this special tenure. All lands "newly to be taken up must be granted with full rights of occupancy and upon "the full or proper assessment at coffee, or dry or wet rates as may be fixed by "the Survey Department, or the Deputy Commissioner. The grass tenure, "Deputy Commissioners will observe, does not convey full rights of occupancy, "for it reserves in full to the Government all rights to reserved trees and "minerals and to increased assessment when brought under cultivation."

T. ANANDA ROW,
Chief Secretary.

To—The Deputy Commissioner, Kadur District
The Deputy Commissioners of other Districts.
The Superintendent of Revenue Survey in Mysore.

Exd.—A.N.S.

1894

GOVERNMENT OF MYSORE

95

REVENUE

PROCEEDINGS

Dated 13th December 1894

No. 9767-75
R. F. 154-9

Amplifying para 4 of the Government Proceedings No. 13101-9—R. F. 154-93, dated 6th February 1894, ruling that no new unoccupied lands should be granted on the "grass rate of 4 annas per acre."

M.G.C.P.B.—20-12-94—120

31

over a needless expense to have broken them up into small Numbers, there being no prospect of them being brought under cultivation, still there is no reason why parts of these large Khas Numbers may not be very valuable. On the whole I consider it very inadvisable to grant such lands except for bona fide cultivation. Should it be considered advisable in the interests of some adjoining Coffee Estate to grant any such lands on the Survey as soil the land should be classed. Under the views I have expressed, the Dewan definition of Coffee Land as "land situated in the Malnad enjoying certain advantages of climate and rainfall (and position?) considered suitable for the growth of Coffee" would meet the case.

I do not know how the definitions of Dry, Rice and Garden lands, as we use in the ordinary Survey classification, would be of use in helping us in a definition of Coffee land but I am asked to give them and accordingly do so, below. Of course, in the Rules for the guidance of the Measuring and Classing Establishment the instructions are necessarily lengthy and elaborate and I have for condensed from the same.

Dry. Land, whether cultivated or waste, on which neither Rice or Garden produce has ever been raised, should be considered Dry crop soil (Note - any of this land brought under irrigation from a Govt work can under the guarantee be assessed as such).

Rice. Land irrigated from a tank or river or Nala or by rain fall or in any way (by excepting irrigation by lift - for definition of Garden) and producing Rice or sugar cane,

as well as any waste land in which the old rice embankments are still visible, or which, when cultivated, always produced rice or sugarcane and would, in consequence of there being a sufficient supply of water, if cultivated again, still produce rice and sugarcane, should be considered Rice land.

Garden. Land, however irrigated, actually producing the recognized superior garden crops such as Supari, Cocoanut and Bamel; or land irrigated solely by lift or by lift in addition to direct water supply from a tank or river channel, should be considered Garden land.

The above definitions, especially that of Garden, are technical. The object of classing land irrigated by lift as Garden is to ensure the case coming under this Sirkar consideration. The Supt himself fixes the rate in each individual case, the variation in the circumstances of Garden lands being too great to admit of the rate being fixed on a sliding scale as in the case of rice and dry lands.

Yours sincerely

H Grant

"c/f must be granted with
"full rights of occupancy
"and upon the full or
"proper assessment ab
"Coffee, or dry or wet
"rates as may be fixed
"by the Survey Departt,
"or the Deputy Comm^r.
"The grass tenure, Dy Comr's
"will observe, does not
"convey full rights of
"occupancy, for it reserves
"in full to the Government
"all rights to reserved
"trees and minerals and
"increased assessments
"when brought under
"cultivation."

13/12

To Chf Secy.

13.12.94.

To The Dy. Comr. Kadur Dt.
The Dy Comrs of other
Dists
The Supt & Revenue